

# UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

Kevin Hughes

Date of Previous Judgment: 8/14/2008

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: 08-256-01 (DMC)

) USM No: 28978-050

) Louise Arkel

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 100 months is reduced to 84 months.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 27

Amended Offense Level: 25

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 100 to 125 months

Amended Guideline Range: 84 to 105 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

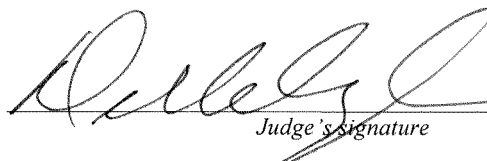
☐ Other (explain):

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 8/14/2008 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: Oct. 31, 2011

  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Dennis M. Cavanaugh, U.S.D.J.  
Printed name and title